

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2007-_____

WASTE DISCHARGE REQUIREMENTS

FOR

PACIFIC US REAL ESTATE GROUP
SILVERTIP RESORT VILLAGE WASTEWATER TREATMENT FACILITY
MARIPOSA COUNTY

The California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Water Board), finds that:

1. Pacific US Real Estate Group (Discharger), a California corporation, submitted a *Report of Waste Discharge* (RWD), dated 25 August 2004, in support of discharge to land of wastewater from the proposed SilverTip Resort and Conference Center Facilities (Resort) On-site Wastewater Treatment Facility and Reclamation System. Additional information to complete the RWD (*Report of Waste Discharge Supplement*) was received 14 January 2005.
2. The proposed Resort will be in the unincorporated community of Fish Camp at the intersection of State Route 41 and Fish Camp Lane. Fish Camp is within the Sierra National Forest, approximately 13 miles north of Oakhurst and 1.5 miles south of the Highway 41 entrance (south entrance) to Yosemite National Park.
3. The proposed Resort is in Section 23, T5, R21, MDM&B, as shown in [Attachment A](#), which is attached hereto and made part of this Order by reference. The proposed Resort site will comprise approximately 47.3 acres, which will include Fish Camp Lane and Assessor Parcel Numbers 010-550-035, 010-550-054, 010-550-055, and 010-550-056.
4. The proposed Resort site will be divided into three parcels: one 11.03-acre parcel; one 23.09 acre parcel, and one 11.5 acre parcel.
5. The area of the proposed Resort, as shown in [Attachment B](#), which is attached hereto and made a part of this Order by reference, will include the following features:
 - a. An 85,115 square foot (sq. ft.) hotel;
 - b. A 3,616 sq. ft. Conference Center;
 - c. 40 cabins that will comprise 48,800 sq. ft.;
 - d. Up to 4 small conference centers covering 8,000 sq. ft.;
 - e. A 14,000 sq. ft restaurant/retail building;
 - f. An approximately 4,000 sq. ft. tennis court;

- g. An approximately 10,500 sq. ft. exterior swimming pool;
- h. Three decorative ponds covering about 15,000 sq. ft.;
- i. A 510,000 gallon water tank to store tertiary treated effluent; and
- j. Approximately 202,000 sq. ft. of parking.

Wastewater Treatment Facility

- 6. The RWD presents information on site conditions, wastewater quantity and quality, source water quantity and quality, the wastewater collection system, the treatment process, and the management and disposal of effluent.
- 7. The treatment facility will be in the northeast corner of the proposed Resort as shown in [Attachment B](#). The proposed wastewater treatment facility (WWTF) will consist of a wastewater collection system comprised of a series of septic tanks and associated piping and a treatment facility that will provide tertiary treatment of the wastewater. The treatment process will include flow equalization, trickling filter secondary treatment with interstage clarification, denitrification, microfiltration, and ultraviolet light disinfection. A process flow diagram is presented in [Attachment C](#), which is attached hereto and made a part of this Order by reference.
- 8. The WWTF has a design monthly average daily flow of about 35,000 gallons per day and a maximum daily flow of about 73,000 gallons per day (gpd). The Discharger will operate the WWTF and will employ a Grade 3 Certified Wastewater Treatment Plant Operator.
- 9. The septic tank collection system separates solids and provides pretreatment of the wastewater prior to discharge to the treatment facility. Effluent will be discharged from the tanks either by gravity or by induced pressure depending upon the location of the tanks with respect to the treatment facility.
- 10. The septic tanks will require periodic pumping to remove septage. Septage will be collected by a conventional septic vacuum truck and will be transported to a regional septage disposal facility.
- 11. The proposed microfiltration should produce effluent with a turbidity of less than 0.1 Nephelometric turbidity units consistent with the California Code of Regulations (CCR) Title 22, Section 60301.320. Combining microfiltration with ultraviolet disinfection reduces the amount of chemicals needed for tertiary treatment. A backup hypochlorite system will be in place in case of failure of the microfiltration/UV disinfection system. The effluent quality will comply with DHS Title 22 CCR standards for "disinfected tertiary recycled water."
- 12. The WWTF will be designed for continuous operation with backup systems for component malfunction and primary power outage. All critical mechanical components will have

WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2007-____
PACIFIC US REAL ESTATE GROUP
SILVERTIP RESORT VILLAGE, WASTEWATER TREATMENT FACILITY
MARIPOSA COUNTY

-3-

duplex or redundant units as backup. In the event of a malfunction, the secondary unit will automatically be started by the system. A standby power generator will provide power in case of a power outage.

13. In the event the backup systems fail, an on-site emergency storage pond will be built to provide storage of the temporary discharge. The basin will be designed to hold a 3-day storage volume of the average daily maximum flow or about 219,000 gallons per day.
14. The Discharger used published data and data from the nearby Tenaya Lodge to characterize the anticipated influent and effluent with and without recycling of effluent for toilet flushing. The RWD characterizes the influent and effluent (discharge) as follows:

| <u>Constituent</u> | <u>Supply Water</u> ¹ | <u>Influent Concentration</u> | <u>Influent Concentration (with Toilet Return)</u> | <u>Effluent Concentration</u> |
|---------------------------|----------------------------------|-------------------------------|--|-------------------------------|
| Biochemical Oxygen Demand | 0 | 450 | --- | 10 |
| Suspended Solids | 0 | 600 | --- | 10 |
| Total Dissolved Solids | 110 | 385 | 503 | 385/503 |
| Specific Conductivity | 160 umhos/cm | 370 umhos/cm | --- | 500 umhos/cm + source water |
| Calcium | 20 | 35 | --- | --- |
| Magnesium | 4 | 14 | --- | --- |
| Sodium | 8 | 78 | 108 | 78/108 |
| Chloride | 1 | 76 | 108 | 76/108 |
| Hardness | 65 | 135 | --- | --- |
| Total Nitrogen | 0 | 60 | --- | 10/25 |
| Total Phosphorus | 0 | 17 | --- | 12 |
| Potassium | 2 | 12 | --- | --- |

1. All units are in milligrams per liter (mg/L) unless noted otherwise.

15. The Discharger proposes to discharge tertiary treated wastewater to a leachfield during the winter months (approximately November through April) and recycle water for landscape irrigation during the summer months (typically from May through October). Recycled water may be used for toilet flushing year round. Additionally, recycled water will be used to fill a 510,000 to 750,000 gallon effluent storage tank. The tank allows

wastewater to be applied at controlled rates to the leachfield and spray fields and allows use of wastewater for fire suppression activities.

16. An average of 36 acre-feet per year of effluent will be generated by the proposed Resort. The Resort will use approximately 19 acre feet for landscape irrigation with the other 17 acre feet to be discharged to the proposed leachfield.
17. The proposed leachfield will be at the southwestern corner of the property on a north/northeast-facing slope. The preliminary leachfield design includes about 2,700 feet of trenches that will accept up to 23,500 gpd. The final design has yet to be submitted and will be required as discussed in [Provision H.12](#) of this Order.
18. Tertiary treated wastewater will be used to irrigate approximately 5 acres of landscaped areas as well as forested open space areas. The areas to be irrigated include 1.97 acres of meadow area, 0.57 acres of greenbelts, 2.34 acres of road slopes, 0.25 acres of Motel landscaping, and 0.14 acres of commercial landscaping. A detailed Use Area Management Plan will be included in the Title 22 Engineering Report as required by [Provision H.11.a](#) of this Order.
19. For the purposes of this Order, the term “wastewater treatment facility” or “WWTF” shall mean the wastewater collection system and septic tanks, the wastewater treatment system and sludge handling facilities, the recycled water distribution system, any storage facilities, the leachfield, and the landscape irrigation areas.

Site-Specific Conditions

20. The discharge area lies within the San Joaquin Basin, specifically the South Fork of the Merced River Hydrologic Area (No. 537.40) of the San Joaquin Valley, as depicted on interagency hydrologic maps prepared by the California Department of Water Resources (DWR) in Spring 1986. Areal topography indicates that the area consists of a west to east forested secondary canyon with slopes from 15 to 35 percent. The slopes flatten out to a meadow area (Big Meadow), which slopes gently to the east/northeast. The proposed leachfield area is on a north/northeast-facing slope with a slope of approximately 30 percent (about 1,500 feet per mile) that drains to Big Creek along a portion of the eastern property boundary.
21. The community of Fish Camp and the proposed Resort are surrounded by the Sierra National Forest with elevations in the town area ranging from about 4,950 feet to 5,300 feet. The Fish Camp area is characterized by mild summers and wet winters with abundant snowfall. The rainy season generally extends from October through May. Occasional rains occur from June through September, but average rainfall in these months is minimal (less than 0.2 inches in June through August and less than 1 inch in September). Average annual precipitation in the Fish Camp area is about 42 inches per year and the temperatures average between 25 and 78 degrees Fahrenheit.

22. According to the RWD, the Discharger shall design, install, and maintain onsite runoff attenuation facilities capable of reducing 100-year storm runoff events to those that equal the existing runoff for the site (no net increase in runoff). Control measures are to include some or all of the following: sedimentation/detention ponds, silt fences, special inlet structures, and hydroseeding. However, the Discharger has not submitted formal storm water runoff control plans detailing the methods to be employed.
23. Federal Emergency Management Agency (FEMA) flood zone maps for the area have not been published as FEMA has listed the site in an area that has no special flood hazards. FEMA has a "Panel" system that divides the areas covered by the separate maps or panels. The proposed Resort is in an unincorporated portion of Mariposa County in FEMA Panel Number 060634-0016-A. Footnotes to the panel indicate that no panel was printed because there are no special flood hazards in the area.
24. While FEMA maps are not available, the Discharger did assess flood potential from Big Creek, which is present along the eastern boundary of the property. Big Creek is subject to storm overflow of up to ten feet above normal water levels. A stream gauge is operated on Big Creek by the U.S. Forest Service upstream of Fish Camp. Typical stream flow from May to October is between 0.5 to 50 cubic feet per second (cfs) with typical stream flows being less than 20 cfs. Anticipated storm water flows are on the order of 4,000 cfs.
25. A ten-foot storm overflow would be below the proposed elevation of the WWTF, which is proposed at just above 4,980 feet above mean sea level. Calculations by Provost and Pritchard indicate it would require stream flows of 25,000 to 30,000 cfs to inundate the proposed WWTF.
26. Land uses in the Fish Camp area include single and multi-family residential, rural residential, resort commercial, general forest, and native pasture designations. The Fish Camp community is surrounded by National Forest Land with private timber holdings present to the west.
27. Weathering of the granitic bedrock has produced residual soils and decomposed bedrock. Area soils in the forested area are reported by the Forest Service to be of the Chaix-Holland complex. These soils are reported to be well-drained, grayish brown sandy loams with depths of 36 to 66 inches overlying weathered or decomposed bedrock. Percolation testing results in the area of the proposed leachfield ranged from about 6 to 13 minutes per inch. Soils in the area are alluvial deposits that are moderately well drained, brown sandy clay loams and sandy loams. The soils contain rock and gravel sized particles of the decomposed granites. Weathered/decomposed bedrock ranges from 10 to 90 feet deep beneath the proposed Resort area. The thickness of the weathered bedrock in the meadow area is reported to be 10 to 35 feet, with depths of up to 90 feet identified in the sloped areas. Percolation testing results of the weathered/decomposed bedrock exhibits rapid percolation with rates that ranged from 1.2 to 5.2 minutes per inch.

Groundwater Considerations

28. Regional groundwater is contained in fractured bedrock and to a lesser extent in alluvial/weathered bedrock deposits. Seven wells on the subject property tap the fractured bedrock aquifer. Five of these wells (STR-1 through STR-5) tap deeper fractures. Well STR 4 supplements spring water that is currently used to provide water to the residences in the Fish Camp Subdivision Block D, the Post Office, the closed Chevron Gasoline Station, the Keller cabin, and the Winterberg parcel. Well STR 5 will be the water supply for the proposed Resort. Two wells (YAVCSD 1 and YAVCSD 2) tap shallower fractures and provide water to the Yosemite Alpine Village Community Service District (YAVCSD). The YAVCSD wells were designed to supply water to up to 46 users in the Yosemite Alpine Village Subdivision. The location of these bedrock supply wells are shown on [Attachment B](#), which is attached hereto and made a part of this Order by reference.

| <u>Well No.</u> ¹ | <u>Well Depth</u> ² | <u>Production Zones</u> ³ | <u>Cased Depth</u> | <u>DTW</u> ⁴ | <u>Production Data</u> |
|------------------------------|--------------------------------|--------------------------------------|--------------------|-------------------------|------------------------|
| STR 1 | 700' | 152', 562' | 100' | 85' | 3 – 4 gpm ⁵ |
| STR 2 | 823' | 204', 400', 823' | 60' | 86' | 32 gpm ⁵ |
| STR 3 | 1,000' | 425', 750' | 80' | 114' | 11 gpm ⁵ |
| STR 4 | 950' | 125', 685' | 32' | 116' | 5 gpm ⁵ |
| STR 5 | 525' | 370', 520' | 55' | 73' | 104 gpm ⁵ |
| YAVCSD 1 | 320' | NA ⁶ | 15' | 14' | NA ⁶ |
| YAVCSD 2 | 230' | NA ⁶ | 50' | 6' | NA ⁶ |

1. Well designations: STR is Silvertip Resort. YAVCSD is Yosemite Alpine Village Community Services District.
2. All measurements are in feet below the ground surface.
3. Production zones shown in bold are the primary production zones for the well.
4. Depth to water (DTW) data obtained on 3 November 1999.
5. Gallons per minute (gpm).
6. Not available (NA).

29. Quality of the water produced from the fractured bedrock aquifer is excellent and is summarized in the following table.

SilverTip Resort Bedrock Wells Analytical Data

(Units in milligram per liter unless noted otherwise)

| <u>Constituents</u> | <u>STR 2</u> | <u>STR 3</u> | <u>STR 4</u> | <u>STR 5</u> |
|---------------------|--------------|--------------|--------------|--------------|
| Calcium | 24 | 21 | 18 | 20 |
| Magnesium | 5 | 5 | 4 | 3 |

SilverTip Resort
Bedrock Wells Analytical Data

(Units in milligram per liter unless noted otherwise)

| <u>Constituents</u> | <u>STR 2</u> | <u>STR 3</u> | <u>STR 4</u> | <u>STR 5</u> |
|---|--------------|--------------|--------------|--------------|
| Sodium | 9 | 8 | 9 | 8 |
| Bicarbonate | 122 | 116 | 95 | 88 |
| Sulfate | 2 | 2 | 3 | 2 |
| Chloride | 1 | 1 | <1 | 3 |
| Nitrate | <0.4 | <0.4 | <0.4 | 3.5 |
| pH (standard pH units) | 7.3 | 7.2 | 7.0 | 7.3 |
| Electrical Conductivity (micromhos per centimeter) | 193 | 188 | 157 | 161 |
| Total Dissolved Solids | 138 | 113 | 111 | 123 |
| Alpha Activity (pico curies per liter) | 10 | 9 | 10 | 6 |

30. Water level measurements shown in the preceding table indicated depths to water in the fractured bedrock wells ranging from six (6) to 116 feet bgs. The water levels in the YAVCSD wells are significantly less than water levels in the STR wells due to their shallow depth (< 320 feet bgs) when compared to the STR wells. The water levels in the STR wells are 60 to 100 feet deeper than the YAVCSD wells due to the presence of unfractured bedrock between the shallow and deeper fractures.
31. The resulting groundwater elevations indicate an eastward direction of flow in these wells, but these levels are only piezometric surface readings that have risen above the true groundwater level due to induced pressure from the overlying bedrock. These readings are not indicative of a uniform groundwater table or the direction of groundwater flow. The actual depth to the water producing zones is much greater than the piezometric groundwater level as shown in the previous table. Groundwater flow and movement in igneous bedrock environments is controlled primarily by flow through fractures and the direction is dictated by the orientation of the fractures in the area encountered.
32. Groundwater is also present beneath the proposed Resort in weathered bedrock and alluvial deposits overlying the granitic bedrock aquifer. Four shallow test wells (TW-1 through TW-4) were installed in and around the meadow area in 1988. The wells are reported to be constructed of 8-inch steel casing and the depths of each of the test wells is shown on the following table. Other construction details (screened intervals, filter material, location of seals, etc) are unknown. Three wells (W-1, W-2, and W-3) were installed in the area of the proposed leachfield in 1998. The approximate location of the

wells is shown on [Attachment B](#), which is attached hereto and made a part of this Order by reference. Depth to water data and the total depth of each well are presented in the following table.

| <u>SilverTip Resort</u> <u>Shallow Groundwater Monitoring Well Details</u> | | |
|---|-------------------------------------|-----------------------------------|
| <u>Well Number</u> | <u>Total Well Depth¹</u> | <u>Depth to Water²</u> |
| W-1 | 22' | Dry |
| W-2 | 50' | 47.2' |
| W-3 | 51' | 41.7' |
| TW-1 | 7' | NA |
| TW-2 | 29' | NA |
| TW-3 | 35' | NA |
| TW-4 | 54' | NA |

1. Well depths reported in approximate feet below the ground surface.

2. Depth to water reported in feet below the top of the well casing.

33. Available depth to groundwater data indicates the depth is variable beneath the area of the proposed leachfield. Well W-1 has generally been dry since it was installed with some water (less than 2 feet standing in the well) in 2000. Well W-2 has had depths ranging from about 33.5 to 45 feet bgs. Well W-3 had had depths ranging between about 27 and 39 feet bgs. No depth to water data was available for the test wells in the meadow area.

34. A sample of the shallow groundwater was collected from Well W-3 on 19 November 2004 and the analytical results are included in the following table.

| <u>SilverTip Resort</u> <u>Shallow Alluvial/Weathered Zone Aquifer Analytical Data</u> | |
|---|-----------------------------------|
| <u>Constituent</u> | <u>Well W-3</u> |
| Boron | < 0.1 milligrams per liter (mg/L) |

SilverTip Resort
Shallow Alluvial/Weathered Zone Aquifer Analytical Data

| <u>Constituent</u> | <u>Well W-3</u> |
|-------------------------|----------------------------------|
| Copper | < 10 micrograms per liter (ug/L) |
| Iron | < 50 ug/L |
| Manganese | < 10 ug/L |
| Zinc | 80 ug/L |
| Calcium | 7 milligrams per liter (mg/L) |
| Magnesium | < 1.0 mg/L |
| Sodium | 5 mg/L |
| Bicarbonate | 40 mg/L |
| Sulfate | < 1.0 mg/L |
| Chloride | < 1.0 mg/L |
| Nitrate | <0.4 mg/L |
| pH | 5.9 standard pH units |
| Electrical Conductivity | 68 micromhos per centimeter |
| Total Dissolved Solids | 50 mg/L |

35. The existing shallow groundwater monitoring network will require additional monitoring wells to adequately monitor shallow groundwater in the area of the proposed Resort. Wells W-1, W-2, and W-3 are all within the proposed leachfield area and may provide useful information regarding mounding in the vicinity of the leachfield. However, during the November 2004 sampling event, well W-1 was dry and well W-2 had an obstruction that would not allow for the collection of a sample. Well W-3 was the only well from which a sample could be collected. Well construction details are not available for test wells TW-1 through TW-4, but it is unlikely these wells will meet the current State requirements for monitoring wells. Four to five monitoring wells will likely be required to adequately monitor shallow groundwater near the proposed leachfield. The Dischargers groundwater consultant, Kenneth Schmidt and Associates, indicates three additional wells would be required, one in the interpreted upgradient direction (south/southeast) of the proposed leachfield, and two wells downgradient of the proposed leachfield. Additionally, one well should be placed in the meadow area below the proposed spray field. These wells will provide upgradient and downgradient coverage of water quality with respect to the leachfield and spray field application areas.

Surface Water Considerations

36. Big Creek, a perennial stream that is a tributary to the South Fork of the Merced River is present along the eastern property boundary. As discussed in [Finding 24](#), the typical flow is 0.5 to 50 cfs, with storm flows of 4,000 cfs.
37. Groundwater quality in Big Creek is excellent (high quality). Samples collected In November 1999 provide the following results.

| <u>SilverTip Resort</u> | | |
|----------------------------------|-----------------------------|---------------------------|
| <u>Big Creek Analytical Data</u> | | |
| <u>Constituent</u> | <u>Units</u> | <u>Analytical Results</u> |
| Calcium | Milligrams per liter (mg/L) | 17 |
| Magnesium | mg/L | 2.2 |
| Sodium | mg/L | 3.1 |
| Potassium | mg/L | 1.1 |
| Hydroxide | mg/L | Not detected (ND) |
| Carbonate | mg/L | ND |
| Bicarbonate | mg/L | 70 |
| Sulfate | mg/L | ND |
| Chloride | mg/L | 1.7 |
| Nitrate | mg/L | ND |
| Ammonia as Nitrogen | mg/L | 0.02 |
| Organic Nitrogen | mg/L | ND |
| pH | Standard pH Units | 7.59 |
| Specific Conductivity (EC) | micromhos per centimeter | 119 |
| Total Dissolved Solids (TDS) | mg/L | 87 |

Basin Plan, Beneficial Uses, and Regulatory Considerations

38. The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition*, (hereafter Basin Plan) designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Board.

Pursuant to Section 13263(a) of the California Water Code (CWC), these waste discharge requirements implement the Basin Plan.

39. The Basin Plan incorporates State Water Resources Control Board (hereafter State Water Board) Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality Waters in California* (State “Antidegradation Policy” or Resolution 68-16).
40. The Basin Plan also establishes a policy to implement State Water Board Resolution No. 77-1, *Policy with Respect to Water Reclamation in California*, which encourages the use of recycled water to replace or supplement the use of freshwater of better quality water. The Regional Water Board’s Wastewater Reuse Policy identifies possible reuse options as including irrigation and groundwater recharge.
41. Surface drainage is to Big Creek, which is tributary to the South Fork of the Merced River. The beneficial uses of Merced River above McClure Lake are municipal and domestic supply; agricultural supply (irrigation); industrial supply (power generation), water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; and wildlife habitat.
42. The beneficial uses of underlying groundwater are municipal and domestic water supply, agricultural supply, industrial service supply, and industrial process supply.
43. CWC Section 13241 requires the Regional Water Board to consider various factors, including economic considerations, when adopting water quality objectives into its Basin Plan. CWC Section 13263 requires the Regional Water Board to address the factors in Section 13241 in adopting waste discharge requirements. The State Water Board, however, has held that a Regional Water Board need not specifically address the Section 13241 factors when implementing existing water quality objectives in waste discharge requirements because the factors were already considered in adopting water quality objectives. It is appropriate to establish groundwater limitations that implement adopted water quality objectives in the manner prescribed by the Basin Plan. No additional analysis of Section 13241 factors is required.
44. The Basin Plan includes a water quality objective for Chemical Constituents that, at a minimum, requires waters designated as domestic or municipal supply to meet the maximum contaminant levels (MCLs) specified in the following provisions of Title 22, California Code of Regulations: Tables 64431-A (Inorganic Chemicals) and 64431-B (Fluoride) of Section 64431, Table 64444-A (Organic Chemicals) of Section 64444, Table 64449-A (Secondary Maximum Contaminant Levels-Consumer Acceptance Limits) of Section 64449, and 64449-B (Secondary Maximum Contaminant Levels-Ranges) of Section 64449. The Basin Plan’s incorporation of these provisions by reference is prospective, and includes future changes to the incorporated provisions as the changes take effect. The Basin Plan recognizes that that the Regional Water Board may apply limits more stringent than MCLs to ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses.

45. Title 22 in Table 64449-B establishes recommended, upper, and short term ranges for EC, TDS, chloride, and sulfate. The recommended and upper ranges are 900 and 1,600 uS/cm for EC, 500 and 1,000 mg/L for TDS, and 250 and 500 mg/L for chloride and for sulfate, respectively.
46. The *Water Quality Control Plan for the Tulare Lake Basin, 2nd Edition*, identifies the greatest long-term problem facing the entire Tulare Lake Basin as the increase in salinity in groundwater, which has accelerated due to the intensive use of soil and water resources by irrigated agriculture. The Basin Plan establishes several salt management requirements, including:
 - a. The incremental increase in salts from use and treatment must be controlled to the extent possible. The maximum EC shall not exceed the EC of the source water plus 500 umhos/cm. When the source water is from more than one source, the EC shall be a weighted average of all sources.
 - b. Discharges to areas that may recharge good quality groundwaters shall not exceed an EC of 1,000 umhos/cm, a chloride content of 175 mg/L, or a boron content of 1.0 mg/L.
47. The Tulare Lake Basin Plan's salt management requirements identified above have been successfully implemented for several decades. Widespread and long-term compliance with these requirements justify them as appropriate best practicable control measures for salinity applicable to discharges in the Sacramento River and San Joaquin River Basins.

CEQA

48. Mariposa County, as CEQA Lead Agency, circulated a Draft Environmental Impact Report (EIR) in July 2001 for public review and comment. Following the receipt of comments from various agencies and interested parties, the county circulated a Revised Draft EIR in September 2002. The County considered potential environmental impacts, including impacts to groundwater and surface water, in the Draft EIR and Revised Draft EIR. Regional Water Board Staff reviewed and commented on the Draft and Revised Draft EIRs.
49. As a comment to the Draft EIR, Regional Water Board staff requested the Discharger prepare an Antidegradation Analysis to satisfy the provisions of Resolution 68-16 and the federal antidegradation policy as prescribed by 40 CFR 131.12. The Discharger submitted an *Antidegradation Analysis for Silvertip Resort Village Wastewater* prepared in October 1999 and a *Final Antidegradation Analysis* was presented in September 2001. To address further comments to the Draft EIR, the Discharger submitted a *Hydrogeologic Conditions and Wastewater Management Plan* report in March 2002.
50. Based on the analyses in the Draft EIR and Revised Draft EIR, including the documents described in [Finding 49](#) and comments from Regional Water Board staff, the County

determined that the following potentially significant impacts relative to the WWTF exist. The Final EIR determined that the impacts would be reduced to less than significant given the following mitigation measures, which are followed by the applicable waste discharge requirements in brackets:

| <u>Impact</u> | <u>Mitigation Measures</u> |
|---|--|
| Reduction in water quality of Big Creek due to erosion. | Install and maintain pollution control measures during construction and operation. [Discharge Specification B.7; Provision H.14] |
| Degradation of water quality in surface water due to discharge of treated effluent. | <p>Treat to Title 22 standards, including disinfection, denitrification, oxidation, clarification, coagulation, and filtration suitable for unrestricted irrigation (i.e., landscape). [Discharge Specification B.6; Effluent Limitations C.3 through C.5; Provision H.11.a]</p> <p>In order to prevent overloading of the proposed leachfield, the Discharger shall base the winter subsurface disposal capacity of the leachfield on the maximum monthly average flow during the wet season (October–May). [Provision H.12]</p> <p>Design leaching trenches to prevent fine soil migration into drainage rock. A minimum 100 percent replacement area will be set aside in case of failure of the proposed subsurface system. [Provision H.12]</p> <p>Investigate the recycling of treated effluent for toilet flushing and fire suppression systems. [Provision H.11.d]</p> |
| Degradation of water quality in groundwater due to discharge of treated effluent. | <p>In addition to the above, monitor groundwater quality [Provisions H.2 and H.11.b]</p> <p>Construct supply wells in accordance with minimum setbacks in the Uniform Plumbing Code and DWR. Construct wells downgradient of the disposal system with sanitary seals extending to unfractured</p> |

| <u>Impact</u> | <u>Mitigation Measures</u> |
|--|--|
| | bedrock (or at least 50 feet). Remove existing septic systems on the project site. [Provision H.1 (Standard Provision C.6); Provision H.12 . In addition, County Well ordinances and permitting requirements will be enforced by the County Building Department] |
| Degradation of water quality in surface water due to runoff from parking lots, roads, snow removal and deicing, etc. | <p>Install and maintain pollution control measures, including use of Best Management Practices (BMPs) in accordance with a written Storm Water Pollution Prevention Plan. [Discharge Specification B.7; Provision H.14]</p> <p>Limit the change in turbidity of Big Creek to Basin Plan limits. Monitor turbidity in Big Creek upstream and downstream of the point of discharge. [Discharge Specification B.7; Provisions H.2 and H.14]</p> <p>Monitor any constructed storm water conveyance channels for sediment annually and certify they do not pose a threat to Big Creek. Submit a work plan if turbidity exceeds limits. [Discharge Specification B.7; Provisions H.2 and H.14]</p> |
| Runoff exceeding capacity of stormwater drainage system. | Design, install, and maintain runoff attenuation facilities to reduce the runoff generated by a 100-year event to those rates currently generated by the site. [In accordance with the EIR, compliance with this measure is to be determined by the Mariposa County Public Works Department. Also applicable is Discharge Specification B.7]. |
| Swimming Pool drainage adversely affecting operation of the WWTF | Drain the indoor and outdoor pools in the fall on an alternating annual schedule. Dechlorinate drain water and meter into the plant over a one to two week period. Mix and dilute pool drain water with influent in an equalization tank. [Provision H.13]. |

| <u>Impact</u> | <u>Mitigation Measures</u> |
|---|---|
| Lack of disposal capacity for sludge or biosolids generated by the WWTF | Haul all sludge or biosolids to a permitted biosolids disposal or reuse site. [Sludge Specifications E.1 through E.5] |
| Odors from the treatment or emergency storage of wastewater. | Equip the WWTF with odor containment, ventilation, and scrubbing systems. Equip emergency storage ponds with aerators and washdown facilities. [In accordance with the EIR, compliance with this measure is to be determined by the Mariposa County Air Pollution Control District and the County Health Department. Also applicable are Discharge Specification B.4 and Provision H.1 (Standard Provision A.11)] |

51. On 2 December 2003, Mariposa County adopted a Statement of Overriding Considerations that concluded that the benefits of the project were sufficient to override any unmitigated impacts. The overriding considerations include: the high quality, historic architectural style of the buildings; reinforcement of Fish Camp as a community center in furtherance of the County General Plan; lack of feasible alternative sites; generation of substantial revenue; and evidence that market forces support such a project.
52. In December 2003, Mariposa County certified a Final EIR, including the mitigation measures described in [Finding 50](#) and the Statement of Overriding Considerations described in [Finding 51](#). Mariposa County found that any degradation that would occur is justified by the benefits of the project, and therefore, in the best interest of the people of the State. Regional Water Board staff reviewed the Final EIR and the mitigation measures it included. The Regional Water Board, as a public agency responsible for protecting surface water and groundwater, must consider the environmental effects to water quality identified in the EIR and adopt measures to mitigate those effects. The Final EIR adequately describes the potential degradation of surface water and groundwater and includes adequate mitigation measures, which are incorporated into this Order, to protect the beneficial uses of those waters.

Antidegradation Analysis

53. State Water Resources Control Board Resolution No. 68-16 prohibits degradation of groundwater unless it has been shown that:

- a. The degradation is consistent with the maximum benefit to the people of the State;
 - b. The degradation will not unreasonably affect present and anticipated future beneficial uses;
 - c. The degradation does not result in water quality less than that prescribed in state and regional policies, including violation of one or more water quality objectives; and
 - d. The discharger employs Best Practicable Treatment or Control (BPTC) to minimize degradation.
54. The economic prosperity of local communities is of maximum benefit to the people of California. As described in Mariposa's Statement of Overriding Considerations, the Resort will add high quality commercial, lodging, and residential uses to the area; will diversify the County's economy and develop additional tourist facilities; and will generate substantial revenues in excess of service costs.
55. This Order establishes terms and conditions of discharge, including relevant mitigation measures described in the Final EIR, to ensure the discharge does not unreasonably affect present and anticipated beneficial uses. This Order includes groundwater limitations that apply water quality objectives established in the Basin Plan to protect the beneficial uses of groundwater.
56. The WWTF will be a state-of-the-art system and represents the best practicable treatment available. Proposed best practicable treatment or control (BPTC) measures include:
- a. Alarm and automatic flow diversion systems to prevent system bypass or overflow;
 - b. Tertiary treatment of the wastewater;
 - c. A nitrogen removal treatment process;
 - d. Microfiltration of treated effluent;
 - e. UV Disinfection of treated effluent;
 - f. Recycled water application at plant uptake (for nitrogen and water) rates;
 - g. Appropriate biosolids storage and disposal practices;
 - h. An Operation and Maintenance (O&M) manual; and
 - i. A minimum Grade III Certified Operator to insure proper operation and maintenance.
57. As detailed above, the discharge as authorized herein is consistent with Resolution 68-16 because it is consistent with maximum benefit to the people of the State, will not

unreasonably affect present and anticipated future beneficial uses, will not result in water quality less than that prescribed in state and regional policies, and employs BPTC.

Water Recycling Criteria

58. Domestic wastewater contains pathogens harmful to humans that are typically measured by means of total or fecal coliform, as indicator organisms. California Department of Health Services (DHS), which has primary statewide responsibility for protecting public health, has established statewide criteria in Title 22, California Code of Regulations, Section 60301 et seq., (hereafter Title 22) for the use of recycled water and has developed guidelines for specific uses. Revisions of the water recycling criteria in Title 22 became effective on 2 December 2000. The revised Title 22 expands the range of allowable uses of recycled water, establishes criteria for these uses, and clarifies some of the ambiguity contained in the previous regulations.
59. The 1988 Memorandum of Agreement (MOA) between DHS and the State Water Resources Control Board on the use of recycled water establishes basic principles relative to the agencies and the regional water boards. Under terms of the MOA, the Board implements Title 22 and DHS recommendations for the protection of public health. In addition, the MOA allocates primary areas of responsibility and authority between these agencies, and provides for methods and mechanisms necessary to assure ongoing, continuous future coordination of activities relative to the use of recycled water in California.
60. Title 22 requires recyclers of treated municipal wastewater to submit an engineering report detailing the use of recycled water, contingency plans, and safeguards. The Discharger has not submitted an engineering report to DHS pursuant to Title 22 for on-site water reclamation operations.
61. State Water Board Resolution No. 77-1, Policy with Respect to Water Recycling in California, encourages recycling projects that replace or supplement the use of fresh water, and the Water Recycling Law (California Water Code Section 13500-13529.4) declares that utilization of recycled water is of primary interest to the people of the State in meeting future water needs.

Other Regulatory Considerations

62. The United States Environmental Protection Agency (EPA) has promulgated biosolids reuse regulations in Title 40, Code of Federal Regulations, Part 503, Standards for the Use or Disposal of Sewage Sludge, which establishes management criteria for protection of ground and surface waters, sets application rates for heavy metals, and establishes stabilization and disinfection criteria. The Discharger may have separate and/or additional compliance, reporting, and permitting responsibilities to EPA. The Report of Waste Discharge states that all biosolids will be hauled to a separate permitted facility.

63. The California Department of Water Resources sets standards for the construction and destruction of groundwater wells, as described in the *California Well Standards Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 94-81* (December 1981). These standards and any more stringent standards adopted by the state or county pursuant to California Water Code (CWC) Section 13801, apply to all monitoring wells.
64. Federal Regulations require the Discharger to comply with National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity during construction of the Resort. Before construction begins, the Discharger must submit a fee and Notice of Intent (NOI) to comply with the permit, including a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must contain, at a minimum, a description of measures to prevent or eliminate unauthorized non-storm water discharges and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, riparian buffers, etc.) best management practices (BMPs) to prevent pollutants from discharging with storm water.
65. The discharge authorized herein and the treatment and the storage facilities associated with the discharge, except for discharges to land and residual sludge and solid waste, are exempt from the requirements of Title 27. The exemption, pursuant to Title 27 section 220090(a), is based on the following:
 - a. The waste consists primarily of domestic sewage and treated effluent;
 - b. The waste discharge requirements are consistent with water quality objectives; and
 - c. The treatment and storage facilities described herein are comparable in function to a municipal wastewater treatment plant.

General Findings

66. Pursuant to CWC Section 13263(g), discharge is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.
67. The Regional Water Board will review this Order periodically and will revise requirements when necessary.
68. CWC Section 13267(b) states that: "In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports

shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”

69. The technical reports required by this Order and the attached Monitoring and Reporting Program No. [R5-2007-____](#) are necessary to assure compliance with these waste discharge requirements. The Discharger operates the Facility that discharges the waste subject to this Order.
70. The California Department of Water Resources set standards for the construction and destruction of groundwater wells, as described in California Well Standards Bulletin 74-90 (June 1991) and Water Well Standards: State of California Bulletin 94-81 (December 1981). These standards, and any more stringent standards adopted by the State or county pursuant to California Water Code Section 13801, apply to all monitoring wells.

Public Notice

71. All of the above and the supplemental information and details in the attached Information Sheet, which is incorporated by reference herein, were considered in establishing the following conditions of discharge.
72. The Discharger and interested agencies and persons have been notified of the intent to prescribe waste discharge requirements for this discharge, and they have been provided an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
73. All comments pertaining to the discharge were heard and considered in a public meeting.

IT IS HEREBY ORDERED that, pursuant to Sections 13263 and 13267 of the CWC, Pacific US Real Estate Group and its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1. Discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. Bypass or overflow of untreated or partially treated waste, except as allowed by Standard Provision E.2 of Standard Provisions and Reporting Requirements, is prohibited.
3. Discharge of waste classified as ‘hazardous’, as defined in Sections 2521(a) of Title 23, CCR, Section 2510, et seq., (hereafter Chapter 15), or ‘designated’ as defined in Section 13173 of the CWC, is prohibited.

4. The discharge of any wastewater other than that from domestic sources is prohibited.

B. Discharge Specifications

1. The discharge flow shall not exceed:
 - a. A monthly average discharge flow of 33,500 mgd; and
 - b. A peak daily discharge flow of 73,900 mgd.
2. Wastewater treatment and use of recycled water shall not cause pollution or a nuisance as defined by Section 13050 of the CWC.
3. No waste constituent shall be released or discharged, or placed where it will be released or discharged, in a concentration or in a mass that causes a violation of the Groundwater Limitations.
4. Objectionable odors shall not be perceivable beyond the limits of the Facility property at an intensity that creates or threatens to create nuisance conditions.
5. The Discharger shall operate all systems and equipment to maximize treatment of wastewater and optimize the quality of the discharge. The wastewater shall be filtered at all times.
6. The Discharger shall treat the wastewater such that it complies with Title 22 CCR, Section 60301.230 ("Disinfected Tertiary Recycled Water").
7. All conveyance, treatment, storage, and disposal units shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
8. Depth to the anticipated highest level of groundwater below the bottom of the leachfield shall not be less than five feet.
9. Freeboard in the emergency storage pond shall never be less than two feet as measured from the water surface to the lowest point of overflow.

C. Effluent Limitations:

1. The discharge shall not exceed the following effluent limitations:

| <u>Constituents</u> ¹ | <u>Units</u> ² | <u>Monthly Average</u> | <u>Daily Maximum</u> | <u>Daily Minimum</u> |
|----------------------------------|---------------------------|----------------------------|--------------------------|--------------------------|
| BOD ₅ | mg/L | 10 | 20 | --- |
| TSS | mg/L | 10 | 20 | --- |

WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2007-____
PACIFIC US REAL ESTATE GROUP
SILVERTIP RESORT VILLAGE, WASTEWATER TREATMENT FACILITY
MARIPOSA COUNTY

-21-

| <u>Constituents</u> ¹ | <u>Units</u> ² | <u>Monthly Average</u> | <u>Daily Maximum</u> | <u>Daily Minimum</u> |
|----------------------------------|---------------------------|----------------------------|--------------------------|--------------------------|
| pH | s.u. | --- | 6.5 | 8.5 |
| Fats, Oil, and Grease | mg/L | 5 | --- | --- |
| Nitrate as Nitrogen | mg/L | 10 | --- | --- |

¹ Biochemical oxygen demand (BOD₅), total suspended solids (TSS).

² milligrams per liter (mg/L), standard pH Units (su), nephelometric turbidity units (ntu), micromhos per centimeter (umhos/cm), micrograms per liter (ug/L), most probable number per 100 milliliters (MPN/100 mL).

2. The monthly average EC of the discharge, shall not exceed the flow-weighted average EC of the source water plus 500 umhos/cm, or a maximum of 1,000 umhos/cm, whichever is less. The flow-weighted average for the source water shall be a moving average for the most recent twelve months.
3. Effluent discharged from the WWTF shall comply with the following limits for total coliform organisms:
 - a. The median concentration of total coliform bacteria measured in the disinfected effluent shall not exceed an MPN of 2.2 per 100 milliliters utilizing the bacteriological results of the last seven days for which the analyses have been completed.
 - b. The number of total coliform bacteria shall not exceed an MPN of 23 per 100 milliliters in more than one sample in any 30-day period.
 - c. No sample shall exceed an MPN of 240 total coliform bacteria per 100 milliliters.
4. Effluent discharged from the WWTF that has been coagulated and passed through natural undisturbed soils or a bed of filter media shall not exceed any of the following with regards to turbidity (Title 22 CCR, Section 60301.320(a)):
 - a. An average of 2.0 NTU within a 24-hour period.
 - b. 5.0 NTU more than 5 percent of the time within a 24-hour period.
 - c. 10.0 NTU at any time.
5. Effluent discharged from the WWTF that has been passed through a microfiltration, ultrafiltration, nanofiltration, or reverse osmosis membrane shall not exceed any of the following with regards to turbidity (Title 22 CCR, Section 60301.320(b)):
 - a. 0.2 NTU more than 5 percent of the time within a 24-hour period.

- b. 0.5 NTU at any time.

D. Recycling Specifications

Application of recycled water shall be confined to the designated application areas as defined in this Order.

1. Recycled water shall be used in compliance with Title 22, Division 4, Chapter 3, Article 3, *Uses of Recycled Water*.
2. Public contact with recycled water shall be controlled using signs and/or other appropriate means. Signs with proper wording (shown below) of a size no less than four inches high by eight inches wide shall be placed at all areas of public access and around the perimeter of all areas used for effluent disposal or conveyance to alert the public of the use of recycled water. All signs shall display an international symbol similar to that shown in [Attachment D](#), a part of this Order, and present the following wording:

“RECYCLED WATER—DO NOT DRINK”

“AGUA DE DESPERDICIO RECLAMADA—POR FAVOR NO TOME”

3. Recycled water controllers, valves, and similar appurtenances shall be affixed with recycled water warning signs, and shall be equipped with removable handles or locking mechanisms to prevent public access or tampering. Quick couplers, if used, shall be of a type, or secured in a manner, that permits operation only by authorized personnel. Hose bibs shall not be used.
4. The Discharger shall maintain the following setback distances from areas irrigated with recycled water:

| Setback Distance (feet) | To |
|----------------------------|--|
| 50 | Edge of land application area to domestic well |
| 100 | Wastewater/recycled water storage reservoir to domestic well |
| 50 | Land application areas to surface water |

5. No physical connection shall exist between recycled water piping and any domestic water supply or domestic well, or between recycled water piping and any irrigation well that does not have an air gap or reduced pressure principle device.

6. Any irrigation runoff shall be confined to the recycled water use area, and shall not enter any surface water drainage course or stormwater drainage system unless the runoff does not pose a public health threat and is authorized by the regulatory agency.
7. Spray, mist, or runoff shall not enter dwellings, designated outdoor eating areas, or food handling facilities.
8. Drinking water fountains shall be protected against contact with recycled water spray, mist, or runoff.
9. Any connection between the recycled water conveyance system and any potable water conveyance system, groundwater supply well, or surface water supply source for the purpose of supplemental water shall be equipped with a DHS-approved backflow prevention device.
10. Application rates for recycled water shall not exceed nitrogen and water uptake rates considering the plant, soil, climate, and irrigation management system.
11. Sprinkler heads shall be of the type approved for recycled water and shall create a minimum amount of mist. Drainage through sprinkler heads is prohibited.
12. Irrigation with recycled water shall not be performed within 24-hours of a forecasted storm, during or within 24 hours after any precipitation event, nor when the ground is saturated.
13. The project shall include a weather station to measure wind velocity and other parameters needed to facilitate best management of recycled water application.
14. Land application areas that are spray irrigated and allow public access shall be irrigated during periods of minimal use (typically between 9 p.m. and 6 a.m.). Consideration shall be given to allow maximum drying time prior to subsequent public use.
15. Areas irrigated with recycled water shall be managed to prevent breeding of mosquitoes. More specifically:
 - a. All applied irrigation water must infiltrate completely within a 48-hour period.
 - b. Tailwater ditches not serving as wildlife habitat shall be maintained free of emergent, marginal, and floating vegetation.
 - c. Low-pressure and unpressurized pipelines and ditches accessible to mosquitoes shall not be used to store recycled water.

16. If recycled water is used for construction purposes, it shall comply with the most current edition of *Guidelines for Use of Reclaimed Water for Construction Purposes*. Other uses of recycled water not specifically authorized herein shall be subject to the approval of the Executive Officer and shall comply with Title 22.

E. Sludge Specifications

Sludge in this document means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Residual sludge means sludge that will not be subject to further treatment at the WWTF.

1. Treatment and storage of sludge shall be confined to the treatment facility property, and shall be conducted in a manner that precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations of this Order.
2. Sludge shall be removed from the septic tanks and the filtration devices as needed to ensure optimal operation and compliance with this Order.
3. Sludge shall be disposed of in a manner approved by the Executive Officer and consistent with Title 27. Removal for further treatment, disposal, or reuse at sites (i.e., landfill, composting sites, soil amendment sites) operated in accordance with valid waste discharge requirements issued by a regional water quality control board will satisfy this specification.
4. Any storage of solids and sludge on the Discharger's property shall be temporary and controlled and contained in accordance with the Discharger's approved Waste Management Plan.
5. Any proposed change in sludge use or disposal practice shall be reported in writing to the Executive Officer at least 90 days in advance of the change.

F. Septic Tank Specifications

1. The Discharger shall inspect each septic tank at least annually. Properly maintain the septic tanks, including pumping a tank when any one of the following conditions exist, or can be reasonably projected to occur before the next inspection of a tank:
 - a. The combined thickness of sludge and scum exceeds one third of the tank depth of the first compartment;
 - b. The scum layer is within three inches of the outlet device; or
 - c. The sludge layer is within eight inches of the outlet device.

2. The Discharger shall assure that haulers transporting solids off site for treatment, storage, use, or disposal are duly authorized to provide this service and take all necessary measures to keep the solids contained.

G. Groundwater Limitations

1. Release of waste constituents from any treatment or storage component associated with the WWTF shall not cause or contribute to groundwater:
 - a. Containing constituent concentrations in excess of the concentrations specified below or natural background quality (as determined in [Finding 34](#) and updated as appropriate as a result of ongoing monitoring), whichever is greater:
 - (i) Nitrate as nitrogen of 10 mg/L.
 - (ii) Total coliform organisms of 2.2 MPN/100 mL.
 - (iii) For constituents identified in Title 22, the MCLs quantified therein.
 - b. Taste or odor-producing constituents, toxic substances, or any other constituents, in concentrations that cause nuisance or adversely affect beneficial uses.

H. Provisions

1. The Discharger shall comply with the Standard Provisions and Reporting Requirements for Waste Discharge Requirements, dated 1 March 1991, which are part of this Order. This attachment and its individual paragraphs are referred to as Standard Provisions(s).
2. The Discharger shall comply with Monitoring and Reporting Program (MRP) No. [R5-2007 ____](#), which is part of this Order, and any revisions thereto as adopted by the Regional Water Board or approved by the Executive Officer. The submittal date shall be no later than the submittal date specified in the Monitoring and Reporting Program for Discharger self-monitoring reports.
3. The Discharger shall keep at the WWTF a copy of this Order, including its MRP, Information Sheet, attachments, and Standard Provisions, for reference by operating personnel. Key operating personnel shall be familiar with its contents.
4. The Discharger shall not allow pollutant-free wastewater to be discharged into the Facility collection, treatment, and disposal systems in amounts that significantly diminish the system's capability to comply with this Order. Pollutant-free wastewater means storm water (i.e., inflow), groundwater (i.e., infiltration), cooling waters, and condensates that are essentially free of pollutants.

5. The Discharger must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This Provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the Discharger only when the operation is necessary to achieve compliance with the conditions of the Order.
6. All technical reports and work plans required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code sections 6735, 7835, and 7835.1. To demonstrate compliance with sections 415 and 3065 of Title 16, CCR, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports and work plans must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
7. The Discharger must comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by the Executive Officer. Accordingly, the Discharger shall submit to the Regional Water Board on or before each report due date the specified document or, if an action is specified, a written report detailing evidence of compliance with the date and task. If noncompliance is being reported, the reasons for such noncompliance shall be stated, plus an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Water Board by letter when it returns to compliance with the time schedule. Violations may result in enforcement action, including Regional Water Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.
8. In the event of any change in control or ownership of land or waste treatment and storage facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the appropriate Regional Water Board office.
9. To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the address and telephone number of the persons responsible for contact with the Regional Water Board and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and

state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. If approved by the Executive Officer, the transfer request will be submitted to the Regional Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.

10. The Discharger shall submit the technical reports and work plans required by this Order for Regional Water Board staff consideration and incorporate comments they may have in a timely manner, as appropriate. The Discharger shall proceed with all work required by the following provisions by the due dates specified.
11. All of the following reports shall be submitted pursuant to Section 13267 of the CWC and shall be prepared as described in [Provision H.6](#).
 - a. By **31 January 2008**, the Discharger shall submit a Title 22 Engineering Report for the proposed Resort project in accordance with CCR Title 22 Section 60323. The report shall include a detailed Use Area Management Plan or the Discharger shall submit a Use Area Management Plan separately by the indicated date.
 - b. By **1 December 2007**, the Discharger shall submit a Groundwater Water Monitoring Workplan prepared in accordance with, and including the items listed in [Attachment E](#): *"Standard Requirements for Monitoring Well Installation Workplans and Reports."* The Workplan shall describe a proposed expansion to the existing monitoring well network specifically designed to ensure that background water quality is adequately characterized and any potential water quality impacts from discharge are detected. The system shall be designed to yield samples representative of the uppermost first encountered groundwater as well as samples representative of groundwater quality in the deeper fractured bedrock aquifer. The Discharger shall include a discussion of the rationale of well placement in the requested Work Plan.
 - c. By **1 December 2007**, the Discharger shall submit a Surface Water Monitoring Workplan (can be combined with the Groundwater Workplan requested above). The workplan shall include the following surface water sampling locations:
 - i. Seasonal seep sampling locations for the groundwater seeps located below the proposed leachfield;
 - ii. Sample collection locations on the intermittent stream that discharges to Big Creek, at a point where the creek enters the subject property and just upstream from the discharge point into Big Creek location.

- iii. Sample collection locations on Big Creek, upgradient of the proposed Resort, adjacent to the proposed Resort, and downgradient of the proposed Resort.
 - d. By **31 January 2008**, the Discharger shall submit a technical report assessing the potential use of treated effluent for toilet flushing and fire suppression purposes.
12. The Discharger shall design the leachfield winter disposal capacity based on the maximum monthly average flow during the wet season (October through May) and shall design the leaching trenches to prevent fine soil migration into the underlying drainage rock. Leachfield design shall include a 100 percent replacement area. All existing septic systems at the project site shall be properly abandoned prior to construction of the Resort.
13. The Discharger shall drain the two proposed swimming pools in the fall of alternate years after the high occupancy season when excess capacity exists in the WWTF. The drainage shall be metered into the WWTF over a one or two week period into a flow equalization basin/tank to allow for dilution and mixing.
14. At least **90 days prior to** any construction activity at the Resort, the Discharger shall submit a Notice of Intent (NOI) to comply with NPDES General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity. The NOI shall include a site map, the appropriate fee to the State Water Resources Control Board; and a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must contain, at a minimum, all items listed in Section A of the General Permit including proposed measures to prevent or eliminate unauthorized non-storm water discharges, and proposed temporary and permanent (i.e., post-construction) best management practices (BMPs) to prevent pollutants from discharging with storm water during construction and operation of the Resort.
15. If the Regional Water Board determines that waste constituents in the discharge have reasonable potential to cause or contribute to an exceedance of an objective for groundwater, this Order may be reopened for consideration of addition or revision of appropriate numerical effluent or groundwater limitations for the problem constituents.

WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2007-_____
PACIFIC US REAL ESTATE GROUP
SILVERTIP RESORT VILLAGE, WASTEWATER TREATMENT FACILITY
MARIPOSA COUNTY

-29-

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on _____.

PAMELA C. CREEDON, Executive Officer

Order Attachments:

Monitoring and Reporting Program No. R5-2007-_____

- A Discharge Vicinity Map
 - B Facility Site Map
 - C Wastewater Flow Generation Diagram
 - D International Symbol for Recycled Water
 - E *Standard Monitoring Well Provisions for Waste Discharge Requirements*
- Information Sheet
Standard Provisions (1 March 1991)

jsp/dkp/kes 15 July 2007